



Haldane Society of Socialist Lawyers

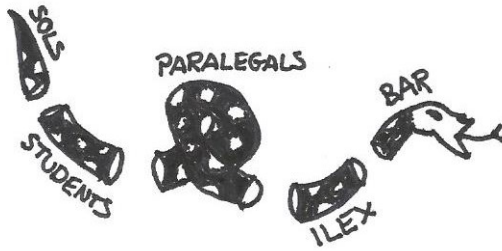
CBA: ACT NOW – **RETURN TO NO** **RETURNS**

Last year, the policy of no returns and withdrawals of labour brought the government back to the bargaining table. Rather than continuing the fight and holding the line the leadership of the CBA struck a deal with the Ministry of Justice, which with hindsight was a terrible mistake. Were it not for that we could have not just fought the proposed cuts to criminal legal aid, but defeated the government's wholesale assault on the justice system. That decision of the CBA leadership has come back to haunt us now with dual contracts.

Dual contracts will destroy our profession. Hundreds of solicitors' firms will go out of business as they lose their duty contracts and are unable to survive on own clients. Consortia of small firms are impossible to organise economically, with the costs involved in their administration eliminating any saving made. All firms will suffer massively reduced fees. Only the biggest firms will survive, and then at greatly reduced quality. Thousands of jobs stand to be lost.

If solicitors' firms' margins are pressed further they can only reduce costs in one way: by abandoning the independent bar. Solicitors' firms will retain advocacy work in-house, or send it out to other firms at discount rates. The independent bar will not get a look in. The tradition of quality advocacy that the bar represents will be destroyed, such that it cannot be recreated.

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JOIN, or DIE.

Neither the bar nor the solicitors can fight this battle on its own. If our professions do not fight together, we will die together. If dual contracts are proceeded with we will have no future. The criminal justice system will be damaged beyond repair.

Unfortunately, the solicitors' judicial review of dual contracts has not been successful and the stay has come to an end. **The profession cannot wait to stop the tendering process.** If the process is completed and contracts are awarded by the government before we take action it will amount to a *fait accompli*. It is foolish to hope for a better policy after the May general election, as any new government will be constrained by contracts already awarded. The profession **must act now**.

The government shows no sign of backing down. Grayling can only be persuaded by a return to direct action by the whole profession, in unity with court staff and others to **close down the court system for longer periods over the coming weeks and months**. That action must be properly organised.

We encourage every barrister, solicitor, paralegal, legal executive, student, and campaigner to pressure the Criminal Bar Association, the London Criminal Courts Solicitors Association, and the Criminal Law Solicitors Association to return to no returns and then to a full-scale strike. Only with that can we survive.

The government will try again to divide us. Solicitors rightly feel betrayed by the actions of the leadership of the CBA last year. But only united action will save the criminal justice system for all of us. **The message for us all must be: join, or die.**